

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

CYNTHIA M. CLARKE,) Case No.: 5:20-CV-186
)
 Plaintiff,)
)
 v.)
)
 CONSTRUCTION ATTACHMENTS, INC.)
)
 Defendant.)
 /

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

NOW COME both parties through undersigned counsel, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and pursuant to the Report of Mediation filed on December 1, 2021 [Doc. 17], hereby stipulate to a voluntary dismissal with prejudice in the above-captioned matter, with each party to bear their own costs and attorneys' fees.

Dated this 4th day of January 2022.

Respectfully Submitted,

/s/ Gary Martoccio
Gary Martoccio
North Carolina Bar #54125
Spielberger Law Group
4890 W. Kennedy Blvd., Suite 950
Tampa, FL 33609
T: 800.965.1570
F: 866.580.7499
gary.martocio@spielbergerlawgroup.com
Attorney for Plaintiff

/s/ Jonathan Yarbrough
Jonathan Yarbrough
North Carolina Bar # 21316
Constangy, Brooks, Smith & Prophete, LLP
84 Peachtree Road, Suite 230
Asheville, NC 28803
T: 828.277.5137
F: 828.277.5138
JYarbrough@constangy.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Gary Martoccio, hereby certify that on this day, January 4, 2022, I electronically filed the foregoing STIPULATION OF DISMISSAL WITH PREJUDICE with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Jonathan Yarbrough
North Carolina Bar # 21316
Constangy, Brooks, Smith & Prophete, LLP
84 Peachtree Road, Suite 230
Asheville, NC 28803
T: 828.277.5137
F: 828.277.5138
JYarbrough@constangy.com
Attorney for Defendant

/s/ Gary Martoccio
Gary Martoccio